

Pay + Allow 15 56 23 25X1A

7 March 1955

OGC Has Reviewed

MEMORANDUM FOR: Deputy Director (Support)

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SUBJECT : Accounts of [ ]

REFERENCE : Your memorandum to Comptroller dated 19 November 1954, subject as above.

1. In referenced memorandum, subject accounts were reviewed and approved and the involved relationship between the affected FE Contract Employee and the Agency was satisfactorily closed.

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2. Subsequently, this Office was informed that a write-off in [ ]'s case of an overpayment of quarters allowance seemed in conflict with a denied write-off in the allegedly comparable case of [ ], former [ ]

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3. Since we are all most anxious that the Agency's general administrative standards be equally applied in similar circumstances, I have had the [ ] case reviewed in the light of the [ ] case and conclude that they are importantly dissimilar in view of the fundamental difference in the responsibilities of the two employees at the times their claims arose.

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4. Briefly stated, the relevant facts are as follows:

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a. In the [ ] case, [ ] was a Contract Employee at the [ ] Station to whom his Chief of Station, in error, accorded certain quarters privileges. Based on a written admission of error by the [ ] was permitted a write-off of \$413.21 of a \$900.37 charge against him for overpayment of quarters allowance.

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b. In the [ ] case, [ ], while himself Chief of Station, incurred expenses in excess of his quarters allowance in the amount of \$259.15. He sought retroactively at Headquarters to [ ]

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standards of propriety and sound judgement," (Para. 1a) and also establishes that it is the Chief of Station who is to determine the adequateness of quarters and the reasonableness of their cost (Para. 8a(1)).

5. In the light of the fundamental difference in the positions and consequent responsibilities of these two employees, I do not consider the decision in the [ ] case unjust in the light of the [ ] case.

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6. The Office of the General Counsel has been involved in both of these cases (memorandum from OGC to Chief of Admin/DDP dated 14 June 1954, subject: "Claim for Reimbursement of Quarters Expense - [redacted]"; OGC concurrence in proposed write-off of [redacted] overpayment, 26 October 1954; and OGC memorandum dated 9 December 1954, comparing the two cases). Consequently, you may wish to make a copy of this memorandum available to the General Counsel, as well as to WE and FE.

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/s/ Lyman Kirkpatrick

Lyman B. Kirkpatrick  
Inspector General

cc: chief, I + R

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